IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellant:	Fong, et al.	Patent Application	
Application No.:	09/944,313	Group Art Unit:	2451
Filed:	August 30, 2001	Examiner:	Tang, Karen C.
For:	One-Click Deployment of Data Processing Systems		

APPEAL BRIEF

Table of Contents

I. Real Party in Interest

The assignee of the present invention is Hewlett-Packard Development Company, L.P.

II. Related Appeals and Interferences

There are no related appeals or interferences known to the Appellants.

III. Status of Claims

Claims 1-53 are rejected. This Appeal involves Claims 1-53.

IV. Status of Amendments

All proposed amendments have been entered. An amendment subsequent to the Final

Action has not been filed.

V. Summary of Claimed Subject Matter

Independent Claims 1, 8, 14, 27, and 34 of the present application pertain to deployment of one or more data processing systems.

As recited in Claim 1, "[a] method to deploy one or more data processing systems," is described. "[P]roviding a plurality of rules that determine the deployment information that are available to deploy on the one or more data processing systems and deployment action on the one or more data processing systems," as recited in Claim 1, is described at least by the operations of the flow chart of Figure 6; and at page 23, lines 30 - page 24, line19. "[C]apturing deployment information from a reference data processing system to deploy on said one or more data processing systems, wherein said deployment information is stored in a memory," as recited in Claim 1, is described at least at operation 504 of the flow chart of Figure 5; by discovery and image capturing as described in pages 8-16 and Tables 1-3; and by page 8, lines 14-21 that indicate configuration information are saved for future reference on non-volatile memory. "[S]electing said one or more data processing systems," as recited in Claim 1, is described at least at 506 of Figure 5; page 23, lines 18-19; 808 of Figure 8; and illustrated by the plurality of systems described in Figure 1 upon which information can be deployed (see page 6, lines 25-29). "[S]electing, by a user, a package of said deployment information to be deployed on said one or more data processing systems," as recited in Claim 1, is described at least at 508 of Figure 5; Table 4, page 14 line 24 - page 16. "[I]ntelligently deploying said one or more data processing systems upon receiving a command from the user if there is a match between attributes of said package and attributes of said one or more data processing systems," as recited in Figure 1, is described at least at 510 and 512 of Figure 5; 810, 812, 814, and 816 of Figure 8; page 23, lines 20-23; and page 25, lines 12-18. Claim 1

also recites, "wherein the user selects the package attributes and data processing systems attributes to include and exclude for matching [page 6, lines 14-18 and 22-24], wherein said intelligently deploying is based on said deployment information that was captured [page 8, lines 14-21; page 11, lines 1-24; page 14, lines 24-28; and Table 4, pages 15 and 16], and includes referencing said package of said deployment information that is stored in said memory, and alternatively, suspending deployment of said one or more data processing systems if there is no match between said attributes of said package and said attributes of said one or more data processing systems [page 6, lines 17-22; page 23, lines 21 -29; Figure 5, operations 512, 514, 516, and 518; Figure 11; and page 26, line 27 - page 27, line 12].

Claim 8 recites a "computer network to facilitate the intelligent deployment of one or more data processing system." "[O]ne or more data processing systems to be intelligently deployed," as recited in Claim 8, is described at least at 506 of Figure 5; page 23, lines 18-19; 808 of Figure 8; and illustrated by the plurality of systems described in Figures 1 upon which information can be deployed (see page 6, lines 25-29) and by the plurality of deployments illustrated by Figure 3. "[O]ne or more reference data processing systems containing deployment information," as recited in Claim 8, is described at least at Figure 1 by desktop PC 102, workstation 104, laptop 106, server 108, and disk array 110 (any of which could represent a reference data processing system or a target) that are all coupled via a network to server 114. "[A] plurality of rules that determine the deployment information that are available to deploy on the one or more data processing systems and deployment action on the one or more data processing systems," as recited in Claim 8, are described at least by Table 4 and by the operations of the flow diagram illustrated in Figure 6 and described at page 23, line 20 - page 24, line19. "[A] means for transmission capable of conveying said deployment

information to said one or more data processing systems," as recited in Claim 8 is described at least by connection through a network as illustrated in Figure 1 and Figure 3 and; page 6, lines 28-29; and page 13, line 7 - page 14, line 1. "[A] dedicated data processing system containing deployment information copied from said one or more reference data processing systems, wherein said dedicated data processing system conveys to said one or more data processing systems over said means for transmission a package of deployment information selected from said deployment information, which is based on said deployment information that was captured, upon receiving a command from a user," as recited in Claim 8, is described at least in Figure 1 by desktop PC 102, workstation 104, laptop 106, server 108, and disk array 110 (any of which could represent a reference data processing system or a target) that are all coupled via a network to server 114; by dedicated server 114, DHCP server 116, data 120, and file library 122 which can store or are stores of captured information and act as a dedicated data processing system. Additionally, Claim 8 recites, "wherein said dedicated data processing system compares attributes of said package of said deployment information with attributes of said one or more data processing systems [page 6, lines 11 -14; and operations 1108 and 1110 of Figure 11 that are described at page 26, line 27 - page 28, line12] and prevents transmission of said package to said one or more data processing systems if there is no match between said attributes of said package and said attributes of said one or more data processing systems, wherein the user selects the package attributes and data processing systems attributes to include and exclude for matching [page 6, lines 11-24; and operations 1102, 1104, 1106, 1130 and 1120 of Figure 11 that are described at page 26, line 27 - page 28, line 12].

As recited in Claim 14, "[a] computer program embodied on electronically-readable media, containing instructions to facilitate the deployment of one or more data processing systems," is described. Electronically-readable media is described at least at page 3, lines 29-31; page 4, lines 21-24; page 4, line 21 - page 5, line 2; and page 8, lines 17-20. "[A] program code segment to provide a plurality of rules that determine the deployment information that are available to deploy on the one or more data processing systems and deployment action on the one or more data processing systems," as recited in Claim 14, is described at least by the operations of the flow chart of Figure 6; and at page 23, lines 30 - page 24, line19. "[A] program code segment to capture deployment information from a reference data processing system to deploy on said one or more data processing systems, wherein said deployment information is stored in a memory," as recited in Claim 14, is described at least at operation 504 of the flow chart of Figure 5; by discovery and image capturing as described in pages 8-16 and Tables 1-3; in Figure 1 by desktop PC 102, workstation 104, laptop 106, server 108, and disk array 110 (any of which could represent a reference data processing system or a target) that are all coupled via a network to server 114; by dedicated server 114, DHCP server 116; and by page 8, lines 14-21 that indicate configuration information are saved for future reference on non-volatile memory. "[A] program code segment to select said one or more data processing systems," as recited in Claim 14, is described at least at 506 of Figure 5; page 23, lines 18-19; 808 of Figure 8; and illustrated by the plurality of systems described in Figure 1 upon which information can be deployed (see page 6, lines 25-29). "[A] program code segment to select a package of said deployment information to be deployed on said one or more data processing systems," as recited in Claim 14, is described at least at 508 of Figure 5; Table 4, page 14 line 24 - page 16. "[A] program code segment to intelligently deploy said one or more data processing

systems upon receiving a command from the user," as recited in Figure 1, is described at least at 510 and 512 of Figure 5; 810, 812, 814, and 816 of Figure 8; page 23, lines 20-23; and page 25, lines 12-18. Claim 14 also recites, "including program code to reference said package of said deployment information that is stored in said memory, [page 8, lines 14-21; page 11, lines 1-24; page 14, lines 24-28; and Table 4, pages 15 and 16], if there is a match between attributes of said package and attributes of said one or more data processing systems, and alternatively, to suspend deployment of said one or more data processing systems if there is no match between said attributes of said package and said attributes of said one or more data processing systems, wherein the user selects the package attributes and data processing systems attributes to include and exclude for matching [page 6, lines 17-22; page 23, lines 21 -29; Figure 5, operations 512, 514, 516, and 518; Figure 11; and page 26, line 27 - page 27, line 12].

As recited in Claim 27, "[a] method for deploying at least one target data processing system," is described at page 24, line 20 - page 25, line 4, by Figure 5, by Figure 6, by Figure 7, and by Figure 8. "[S]electing a reference data processing system," as recited in Claim 27, is described at least at page 11, Table 2; by 704 of Figure 7; and in Figure 1 by desktop PC 102, workstation 104, laptop 106, server 108, and disk array 110 (any of which could represent a reference data processing system or a target) that are all coupled via a network to server 114; by dedicated server 114, DHCP server 116. "[S]pecifying, by a user, capture information of an image to be captured from the reference data processing system, wherein said capture information includes a name, description and destination of the image," as recited in Claim 27, is described at least at operation 706 of the flow chart of Figure 7; by discovery and image capturing as described in pages 8-16 and Tables 1-3; page 11, lines 9-

24; Figure 7, item 710; and by page 8, lines 14-21 that indicate configuration information are saved for future reference on non-volatile memory. "[P]roviding a plurality of rules that determine the capture information that are available to deploy on the target data processing system and deployment action on the target data processing system," as recited in Claim 27, is described at least by the operations of the flow chart of Figure 6; and at page 23, lines 30 - page 24, line19; and by 710, 712, 714, and 716 of Figure 7. "[C]apturing the capture information or customized capture information from the reference data processing system after selecting an image capture option," as recited in Claim 27 is described at least at 720 of Figure 7; "[S]electing said target data processing system," as recited in Claim 27, is described at least at 506 of Figure 5; page 23, lines 18-19; 808 of Figure 8; and illustrated by the plurality of systems (desktop PC 102, workstation 104, laptop 106, server 108, and disk array 110 any of which could represent a reference data processing system or a target) described in Figure 1 upon which information can be deployed (see page 6, lines 25-29). "[D]eploying the capture information or customized capture information to the target data processing system based upon a selected deployment option if there is a match between attributes of said captured image and attributes of said target data processing system," as recited in Claim 27, is described at least at 508 of Figure 5; Table 4, page 14 line 24 - page 16; and 810, 812, 814, 816, 820, and 822 of Figure 8. Claim 27 also recites, "alternatively, suspending deployment of the captured image to the target data processing system if there is no match between said attributes of said captured image and said attributes of said target data processing system [page 6, lines 17-22; page 23, lines 21 -29; Figure 5, operations 512, 514, 516, and 518; Figure 11; and page 26, line 27 - page 27, line 12], wherein the user selects the captured image attributes and target data processing system attributes to include and exclude

for matching [510 and 512 of Figure 5; 810, 812, 814, and 816 of Figure 8; page 23, lines 20-23; and page 25, lines 12-18].

Claim 34 recites "an apparatus for deploying at least one data processing system." "[A]t least one reference data processing system containing capture information, as recited in Claim 34, is described at least in Figure 1 by desktop PC 102, workstation 104, laptop 106, server 108, and disk array 110 (any of which could represent a reference data processing system or a target) that are all coupled via a network to server 114; by dedicated server 114, DHCP server 116. "[A]t least one target data processing system to be deployed," as recited in Claim 34, is described at least at 506 of Figure 5; page 23, lines 18-19; 808 of Figure 8; and illustrated by the plurality of systems described in Figures 1 upon which information can be deployed (see page 6, lines 25-29) and by the plurality of deployments illustrated by Figure 3. "[A] plurality of rules that determine the capture information that are available to deploy on the target data processing system and deployment action on the target data processing system," as recited in Claim 34 are described at least by Table 4 and by the operations of the flow diagram illustrated in Figure 6 and described at page 23, line 20 - page 24, line19. "[A] dedicated deployment data processing system, wherein said dedicated deployment data processing system captures and stores in a memory said capture information from said reference data processing system based upon a selected image capture option," as recited in Claim 34, is described at least in Figure 1 by Dedicated server 114, DHCP server 116, data 120, and file library 122; and by page 8, lines 17-20. Additionally, Claim 34 recites, "where the dedicated deployment data processing system conveys to said target data processing system a package of deployment information [510 of Figure 5; page 23, lines 15-29; 1130 of Figure 11; and page 27, lines 5-12] selected from said capture information or

customized capture information by a user based upon a selected deployment option if there is

a match between attributes of said package and attributes of said target data processing

system, and alternatively, suspends deployment of said image to said target data processing

system if there is no match between said attributes of said package and said attributes of said

target data processing system [Figure 8, operations 810, 812, 814, and 816; page 25, lines 5-

21; Figure 11, operation 1120; page 27, lines 4-12; Figure 5, operations 510 and 512; and

page 6, lines 17-22] wherein the user selects the package attributes and target data

processing system attributes to include and exclude for matching [page 6, lines 11-24;

operation 508 of Figure 5; and operations 1102, 1104, 1106, 1130 and 1120 of Figure 11 that

are described at page 26, line 27 - page 28, line 12].

VI. Grounds of Rejection to Be Reviewed on Appeal

1. Whether Claims 1-53 are rendered unpatentable under 35 U.S.C. §103(a) by U.S. Patent 6,466,972 to Paul et al. (hereinafter "Paul") in view of U.S. Patent 6,401,238 to Brown et al. (hereinafter "Brown").

VII. Argument

1. Whether Claims 1-53 are rendered unpatentable under 35 U.S.C. §103(a) by Paul in view of Brown.

"As reiterated by the Supreme Court in *KSR*, the framework for the objective analysis for determining obviousness under 35 U.S.C. 103 is stated in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). Obviousness is a question of law based on underlying factual inquiries" including "[a]scertaining the differences between the claimed invention and the prior art" (MPEP 2141(II)). "In determining the differences between the prior art and the claims, the question under 35 U.S.C. 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious" (emphasis in original; MPEP 2141.02(I)). Appellants note that "[t]he prior art reference (or references when combined) need not teach or suggest all the claim limitations, however, Office personnel must explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art" (emphasis added; MPEP 2141(III)).

Additionally, per MPEP 2141(III), "[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." emphasis added, In re Kahn, 441 F. 3d 977, 988 as cited by KSR International Co. v. Teleflex Inc. (KSR), 550 U.S. 398, 82 USPQ2d at 1396 (2007).

Appellants respectfully submit that the rejections of Claims 1, 8, 14, 27, and 34 are improper and do not satisfy the requirements of a *prima facie* case of obviousness as not all

claim features met by the cited art of Paul in view of Brown and the Office Action (mail date 3/30/2009, hereinafter "Office Action") does not explain why the difference(s) between the cited art and the claimed invention would have been obvious to one of ordinary skill in the art.

Appellants respectfully direct attention to independent Claim 1 that recites, "<u>capturing deployment information from a reference data processing system</u> to deploy on said one or more data procession systems...;" to independent Claim 8 that recites, "<u>one or more reference data processing systems containing deployment information</u>," and "a dedicated data processing system containing deployment information <u>copied from said one or more reference data processing systems;</u>" to independent Claim 14 that recites, "a program segment to <u>capture deployment information from a reference data processing system</u> to deploy on said more or more data processing systems;" to independent Claim 27 that recites, "<u>selecting a reference data processing system</u>," and "specifying, by a user,<u> capture information of an image to be captured from the reference</u> data <u>processing system,</u>" and "capturing the capture information or customized capture information <u>from the reference data processing system</u> after selecting an image capture option;" and Claim 34 that recites, "<u>at least one reference data processing system containing capture information,</u>" and a "dedicated deployment data processing system, wherein said dedicated deployment data processing system <u>captures and stores said capture information from said reference data processing system</u> based upon a selected image capture option," emphasis added. Attention is also directed to Claim 1 (and similarly Claims to 8, 14, 27, and 34) that recites "providing a plurality of <u>rules</u> <u>that determine the deployment information that are available to deploy...,</u>" (emphasis added).

Appellants submit that Paul is entirely <u>silent</u> with respect to the concept of a reference data processing system and is further <u>silent</u> with respect to capturing or copying any information (let alone deployment information) from any sort of a reference data processing system. Likewise, Appellants submit that Paul is also silent with respect to any "rules" related to captured information or deployment information that has been captured from a reference data processing system. Instead, per Appellants' understanding, Paul appears <u>to disclose something very different</u> from capturing deployment information from a reference data processing system, by disclosing that templates called machine classes are used to manage a set of similar machines and to install software and configuration information (see e.g., Abstract; Figure 6; Figure 8; col. 2, lines 40-64; machine class files 538a-540n of Figure 5; and col. 9, lines 44-47 of Paul). Per Appellants' understanding of Paul, the machine class files are created manually using application program interfaces (APIs) and graphic user interfaces (GUIs) (see e.g., Figures 8 and 10-14). The machine classes are created from nothing (col. 15, lines 1-3), from a generic machine class, or from a prototype machine class stored in a database of machine class files 538a-540n (see, e.g., col. 11, lines 15-59; Figure 5; Figure 7; col. 15, lines 1-3; col. 15, lines 1-61; and Figure 8, items 810, 820, 830, 840, 850, 825, and 835, all of Paul).

Appellants submit that manually creating a machine class as a template for installing software and configuration information is at minimum very different than and may be considered to even <u>teach away</u> from the above cited portions of Appellants claims which relate for example to "<u>capturing deployment information from a reference data processing system</u> to deploy on said one or more data procession systems...," and "providing a plurality of <u>rules</u> <u>that determine the deployment information that are available to deploy</u>...," (emphasis

added) as are recited in Claim 1 and similarly in Claims 8, 14, 27, and 34. As such, Appellants submit that Paul does not teach, suggest, or otherwise render obvious the above recited features of Appellants Claims 1, 8, 14, 27, and 34.

Appellants respectfully submit that Brown and the combination of Paul in view of Brown fail to cure the above noted deficiencies of Paul. For example, Brown is <u>silent</u> with respect to the concept of a reference data processing system, is further <u>silent</u> with respect to capturing or copying any information (let alone deployment information) from any sort of a reference data processing system, and is further still <u>silent</u> with respect to providing a plurality of rules that determine the deployment information that are available to deploy.

As such, Appellants submit that Paul in view of Brown fails to make a *prima facie* case of obviousness as not all of the features of Claims 1, 8, 14, 27, and 34 are taught or suggested by the cited combination. Additionally, and as required by the MPEP as cited above, the present Office Action fails to explain why the identified differences between Appellants' claimed inventions and Paul in view of Brown would have been obvious to one of ordinary skill in the art.

Accordingly, Appellants respectfully submit that the rejection of Claims 1, 8, 14, 27, and 34 under 35 U.S.C. §103(a) are improper and should be reversed. Further, Appellants submit that Claims 2-7, 21, 22, 41, 44, and 49 that depend from Claim 1; Claims 9-13, 23, 24, 42, 45, and 50 that depend from Claim 8; Claims 15-20, 25, 26, 43, 46, and 51 that depend from Claim 14; Claims 28-33, 47, and 52 that depend from Claim 27; and Claims 35-40, 48,

and 53 that depend from Claim 34 are also allowable by virtue of their dependence from

allowable base claims.

Conclusion

The Appellants believe that pending Claims 1-53 are patentable over the cited art. Appellants respectfully request that the Board reverse the rejection of Claims 1-53.

The Appellants wish to encourage the Examiner or a member of the Board of Patent Appeals to telephone the Appellants' undersigned representative if it is felt that a telephone conference could expedite prosecution.

Respectfully submitted,
WAGNER BLECHER LLP

Dated: 07/29/2009

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VIII. Appendix - Clean Copy of Claims on Appeal

1. A method to deploy one or more data processing systems, comprising:

providing a plurality of rules that determine the deployment information that are available to deploy on the one or more data processing systems and deployment action on the one or more data processing systems;

capturing deployment information from a reference data processing system to deploy on said one or more data processing systems, wherein said deployment information is stored in a memory;

selecting said one or more data processing systems;

selecting, by a user, a package of said deployment information to be deployed on said one or more data processing systems; and

intelligently deploying said one or more data processing systems upon receiving a command from the user if there is a match between attributes of said package and attributes of said one or more data processing systems, wherein the user selects the package attributes and data processing systems attributes to include and exclude for matching, wherein said intelligently deploying is based on said deployment information that was captured, and includes referencing said package of said deployment information that is stored in said memory, and alternatively, suspending deployment of said one or more data processing systems if there is no match between said attributes of said package and said attributes of said one or more data processing systems.

2. The method of claim 1, wherein said deployment information in said memory is stored on a dedicated data processing system connected to a computer network.

3. The method of claim 1, wherein capturing said deployment information includes refreshing said deployment information.

4. The method of claim 1, wherein capturing said deployment information includes referencing deployment information stored from a previous instance of deployment of one or more data processing systems.

5. The method of claim 1, wherein said deployment information includes information selected from the group of information consisting of: disk drive partitions, disk drive settings, disk array controller settings, PCI device settings, non-PCI device settings, firmware settings, fixed code settings, operating system information, application software package information, user settings, personalization information, or configuration information.

6. The method of claim 1, wherein said deployment information includes a hardware portion of a configuration and a remaining portion of said configuration, and said intelligently deploying can update said hardware portion of said configuration on a data processing system of said one or more data processing systems before software image deployment, without destructively modifying said remaining portion of said configuration of said one or more data processing systems.

7. The method of claim 1, wherein said deployment information includes a hardware portion of a configuration and a remaining portion of said configuration, and said intelligently deploying can update said hardware portion of said configuration on a data processing system of said one or more data processing systems that has already been

configured, without destructively modifying said remaining portion of said configuration of said one or more data processing systems.

8. A computer network to facilitate the intelligent deployment of one or more data processing system, comprising:

one or more data processing systems to be intelligently deployed;

one or more reference data processing systems containing deployment information;

a plurality of rules that determine the deployment information that are available to deploy on the one or more data processing systems and deployment action on the one or more data processing systems;

a means for transmission capable of conveying said deployment information to said one or more data processing systems; and

a dedicated data processing system containing deployment information copied from said one or more reference data processing systems, wherein said dedicated data processing system conveys to said one or more data processing systems over said means for transmission a package of deployment information selected from said deployment information, which is based on said deployment information that was captured, upon receiving a command from a user, and

wherein said dedicated data processing system compares attributes of said package of said deployment information with attributes of said one or more data processing systems and prevents transmission of said package to said one or more data processing systems if there is no match between said attributes of said package and said attributes of said one or more data processing systems, wherein the user selects the package attributes and data processing systems attributes to include and exclude for matching.

9. The computer network of claim 8, further comprising:

a memory in said dedicated data processing system to store said package of said deployment information.

10. The computer network of claim 8, wherein capturing said deployment information includes referencing deployment information stored from a previous instance of intelligent deployment of one or more data processing systems.

11. The computer network of claim 8, wherein said deployment information includes information selected from the group of information consisting of: disk drive partitions, disk drive settings, disk array controller settings, PCI device settings, non-PCI device settings, firmware settings, fixed code settings, operating system information, application software package information, user settings, personalization information, or configuration information.

12. The computer network of claim 8, wherein said deployment information includes a hardware portion of a configuration and a remaining portion of said configuration, and said computer network can update said hardware portion of said configuration on a data processing system of said one or more data processing systems before software image deployment, without destructively modifying said remaining portion of said configuration of said one or more data processing systems.

13. The computer network of claim 8, wherein said deployment information includes a hardware portion of a configuration and a remaining portion of said configuration, and said

computer network can update said hardware portion of said configuration on a data processing system of said one or more data processing systems that has already been configured, without destructively modifying said remaining portion of said configuration of said one or more data processing systems.

14. A computer program embodied on electronically-readable media, containing instructions to facilitate the deployment of one or more data processing systems, comprising:

a program code segment to capture deployment information from a reference data processing system to deploy on said one or more data processing systems, wherein said deployment information is stored in a memory;

a program code segment to select said one or more data processing systems;

a program code segment to provide a plurality of rules that determine the deployment information that are available to deploy on the one or more data processing systems and deployment action on the one or more data processing systems;

a program code segment to select a package of said deployment information to be deployed on said one or more data processing systems; and

a program code segment to intelligently deploy said one or more data processing systems upon receiving a command from the user, including program code to reference said package of said deployment information that is stored in said memory, if there is a match between attributes of said package and attributes of said one or more data processing systems, and alternatively, to suspend deployment of said one or more data processing systems if there is no match between said attributes of said package and said attributes of said one or more data processing systems, wherein the user selects the package attributes and data processing systems attributes to include and exclude for matching.

15. The computer program of claim 14, wherein said memory that stores said package of said deployment information is included in a dedicated data processing system.

16. The computer program of claim 14, wherein said program code segment to capture deployment information from a reference data processing system to deploy on said one or more data processing systems is executed on a data processing system coupled to a network of data processing systems.

17. The computer program of claim 14, wherein said program code segment to select one or more data processing systems to be included in said one or more data processing systems is executed on a data processing system coupled to a network of data processing systems.

18. The computer program of claim 14, wherein said program code segment to select a package of said deployment information to be deployed on said one or more data processing systems is executed on a data processing system coupled to a network of data processing systems.

19. The computer program of claim 14, wherein said program code segment to intelligently deploy said one or more data processing systems upon receiving a command from user interacts with a network of data processing systems.

20. The computer program of claim 14, wherein said electronically-readable memory is a non-volatile memory selected from the group of non-volatile memories consisting of: a magnetic disk drive, a magneto-optic disk drive, a floppy diskette, a compact disc and a flash memory.

21. The method of claim 1, further comprising:

selecting, by the user, one of a default image capture and a customized image capture, where the default image capture will result in an automatic image capture of all hardware configurations and base software images in the reference data processing system and the customized image capture will result in the image capture of selected hardware configurations, base software images, or incremental capture of images in the reference data processing system.

22. The method of claim 1, further comprising:

selecting, by the user, one of a default deployment or a customized deployment, where the default deployment will deploy all hardware configurations and software images that have been captured from the reference data processing system and the customized deployment will deploy selected hardware configuration, base software images or perform incremental deployment of captured information.

23. The computer network of claim 8, wherein the user selects one of a default image capture and a customized image capture, where the default image capture will result in an automatic image capture of all hardware configurations and base software images in the reference data processing system and the customized image capture will result in the image

capture of selected hardware configurations, base software images, or incremental capture of images in the reference data processing system.

24. The computer network of claim 8, wherein the user selects one of a default deployment or a customized deployment, where the default deployment will deploy all hardware configurations and software images that have been captured from the reference data processing system and the customized deployment will deploy selected hardware configuration, base software images or perform incremental deployment of captured information.

25. The computer program of claim 14, wherein the user selects one of a default image capture and a customized image capture, where the default image capture will result in an automatic image capture of all hardware configurations and base software images in the reference data processing system and the customized image capture will result in the image capture of selected hardware configurations, base software images, or incremental capture of images in the reference data processing system.

26. The computer program of claim 14, wherein the user selects one of a default deployment or a customized deployment, where the default deployment will deploy all hardware configurations and software images that have been captured from the reference data processing system and the customized deployment will deploy selected hardware configuration, base software images or perform incremental deployment of captured information.

27. A method for deploying at least one target data processing system, comprising:

selecting a reference data processing system;

specifying, by a user, capture information of an image to be captured from the reference data processing system, wherein said capture information includes a name, description and destination of the image;

providing a plurality of rules that determine the capture information that are available to deploy on the target data processing system and deployment action on the target data processing system;

capturing the capture information or customized capture information from the reference data processing system after selecting an image capture option;

selecting said target data processing system;

deploying the capture information or customized capture information to the target data processing system based upon a selected deployment option if there is a match between attributes of said captured image and attributes of said target data processing system, and alternatively, suspending deployment of the captured image to the target data processing system if there is no match between said attributes of said captured image and said attributes of said target data processing system, wherein the user selects the captured image attributes and target data processing system attributes to include and exclude for matching.

28. The method of claim 27, further comprising refreshing the capture information or customized capture information.

29. The method of claim 27, wherein the capture information includes information selected from the group of information consisting of: disk drive partitions, disk drive settings,

disk array controller settings, PCI device settings, non-PCI device settings, firmware settings, fixed code settings, operating system information, application software package information, user settings, personalization information, or configuration information.

30. The method of claim 27, wherein the capture information includes a hardware portion of a configuration and a remaining portion of said configuration, and said intelligently deploying can update said hardware portion of said configuration on said target data processing systems before software image deployment, without destructively modifying said remaining portion of said configuration of said target data processing systems.

31. The method of claim 27, wherein the capture information includes a hardware portion of a configuration and a remaining portion of said configuration, and said intelligently deploying can update said hardware portion of said configuration on said target data processing systems that has already been configured, without destructively modifying said remaining portion of said configuration of said target data processing systems.

32. The method of claim 27, further comprising:
selecting the image capture option by selecting one of a default image capture and a customized image capture, where the default image capture will result in an automatic image capture of all hardware configurations and base software images in the reference data processing system and the customized image capture will result in the image capture of selected hardware configurations, base software images, or incremental capture of images in the reference data processing system.

33. The method of claim 27, further comprising:

selecting a deployment option by selecting one of a default deployment or a customized deployment, where the default deployment will deploy all hardware configurations and software images that have been captured from the reference data processing system and the customized deployment will deploy selected hardware configuration, base software images or perform incremental deployment of captured information.

34. An apparatus for deploying at least one data processing system, the apparatus comprising:

at least one reference data processing system containing capture information;

at least one target data processing system to be deployed;

a plurality of rules that determine the capture information that are available to deploy on the target data processing system and deployment action on the target data processing system;

a dedicated deployment data processing system, wherein said dedicated deployment data processing system captures and stores in a memory said capture information from said reference data processing system based upon a selected image capture option, and

where the dedicated deployment data processing system conveys to said target data processing system a package of deployment information selected from said capture information or customized capture information by a user based upon a selected deployment option if there is a match between attributes of said package and attributes of said target data processing system, and alternatively, suspends deployment of said image to said target data processing system if there is no match between said attributes of said package and said

attributes of said target data processing system, wherein the user selects the package

attributes and target data processing system attributes to include and exclude for matching.

35. The apparatus of claim 34, further comprising refreshing the capture information

or customized capture information.

36. The apparatus of claim 34, wherein said capture information includes information

selected from the group of information consisting of:

disk drive partitions, disk drive settings, disk array controller settings, PCI device

settings, non-PCI device settings, firmware settings, fixed code settings, operating system

information, application software package information, user settings, personalization

information, or configuration information.

37. The apparatus of claim 34, wherein said capture information includes a hardware

portion of a configuration and a remaining portion of said configuration, and said deploying

can update said hardware portion of said configuration on said target data processing systems

before software image deployment, without destructively modifying said remaining portion

of said configuration of said target data processing systems.

38. The apparatus of claim 34, wherein said capture information includes a hardware

portion of a configuration and a remaining portion of said configuration, and said deploying

can update said hardware portion of said configuration on said target data processing systems

that has already been configured, without destructively modifying said remaining portion of

said configuration of said target data processing systems.

39. The apparatus of claim 34, wherein the user selects an image capture option by selecting one of a default image capture and a customized image capture, where the default image capture will result in an automatic image capture of all hardware configurations and base software images in the reference data processing system and the customized image capture will result in the image capture of selected hardware configurations, base software images, or incremental capture of images in the reference data processing system.

40. The apparatus of claim 34, wherein the user selects a deployment option by selecting one of a default deployment or a customized deployment, where the default deployment will deploy all hardware configurations and software images that have been captured from the reference data processing system and the customized deployment will deploy selected hardware configuration, base software images or perform incremental deployment of captured information.

41. The method of claim 1, further comprising:

selecting, by a user, one of an default image capture option or a customized image capture option, where the default image capture option automatically captures a capture information from the deployment information for deployment on the target data processing systems, and where the customized image capture option captures a customized capture information comprising one of a base software image, incremental software images, or hardware parameters for deployment on the target data processing systems.

42. The computer network of claim 8, wherein the user selects one of an default image capture option or a customized image capture option, where the default image capture option automatically captures a capture information from the deployment information for deployment on the target data processing systems, and where the customized image capture option captures a customized capture information comprising one of a base software image, incremental software images, or hardware parameters for deployment on the target data processing systems.

43. The computer program of claim 14, wherein the instructions further comprises:

a program code segment to permit the user to select one of an default image capture option or a customized image capture option, where the default image capture option automatically captures a capture information from the deployment information for deployment on the target data processing systems, and where the customized image capture option captures a customized capture information comprising one of a base software image, incremental software images, or hardware parameters for deployment on the target data processing systems.

44. The method of claim 1, further comprising:

selecting, by the user, one of a default deployment option or a customized deployment option, where the default deployment option deploys the package of said deployment information on said one or more data processing systems, and where the customized deployment option deploys one of a base software image, incremental software images, or hardware parameters on said one or more data processing systems.

45. The computer network of claim 8, wherein the user selects one of a default deployment option or a customized deployment option, where the default deployment option deploys the package of said deployment information on said one or more data processing systems, and where the customized deployment option deploys one of a base software image, incremental software images, or hardware parameters on said one or more data processing systems.

46. The computer program of claim 14 further comprising:

a program code to permit a user to select one of a default deployment option or a customized deployment option, where the default deployment option deploys the package of said deployment information on said one or more data processing systems, and where the customized deployment option deploys one of a base software image, incremental software images, or hardware parameters on said one or more data processing systems.

47. The method of claim 27, further comprising:

selecting, by the user, one of an default image capture option or a customized image capture option, where the default image capture option automatically captures the capture information for deployment on the target data processing system, and where the customized image capture option captures a customized capture information comprising one of a base software image, incremental software images, or hardware parameters for deployment on the target data processing system.

48. The apparatus of claim 34, where a user selects one of an default image capture option or a customized image capture option, where the default image capture option

automatically captures the capture information for deployment on the target data processing system, and where the customized image capture option captures a customized capture information comprising one of a base software image, incremental software images, or hardware parameters for deployment on the target data processing system.

49. The method of claim 1, further comprising:

setting each rule with an associated priority.

50. The computer network of claim 8, wherein each rule has an associated priority.

51. The computer program of claim 14, further comprising:

a program code segment to set each rule with an associated priority.

52. The method of claim 27, further comprising:

setting each rule with an associated priority.

53. The apparatus of claim 34, wherein each rule has an associated priority.

IX. Evidence Appendix

No evidence is herein appended.

X. Related Proceedings Appendix

No related proceedings.